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TO: ATTENTION: Examiner Inder P. Mehra Art Unit 2666	(571) 273-8300	United States Patent and Trademark Office	

Name:	Sender's Direct Dial:	Sender's Direct Email:
FROM: Micah D. Stolowitz	(503) 294-9189	mdstolowitz@stoel.com

Client: 44375	Matter: 4:10
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Date: February 21, 2006

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**COMMENTS:****APPLICATION NUMBER 10/092,661**

Enclosed are the following documents.

1. Fee Transmittal (with copy for Deposit Account charge).
2. Response to Office action dated November 1, 2005, with request for extension of time included in response.

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T-198 P.002/011 F-288

**FEB 21 2006**

PTO/SB/17 (12-04v2)

Approved for use through 07/31/2006. OMB 0651-0032  
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

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Effective on 12/08/2004. Fees pursuant to the Consolidated Appropriations Act, 2005 (H.R. 4818). <b>FEE TRANSMITTAL</b> <b>For FY 2005</b>		<b>Complete if Known</b>	
<input checked="" type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27		Application Number	10/092,661
TOTAL AMOUNT OF PAYMENT (\$) 60.00		Filing Date	March 6, 2002
		First Named Inventor	Dan A. PRESTON
		Examiner Name	Inder P. Mehra
		Art Unit	2866
		Attorney Docket No.	44375/4:10

**METHOD OF PAYMENT (check all that apply)**

☐ Check  
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 Deposit Account Name: Stoel Rives LLP

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**FEE CALCULATION**

**1. BASIC FILING, SEARCH, AND EXAMINATION FEES**

Application Type	FILING FEES		SEARCH FEES		EXAMINATION FEES		Fees Paid (\$)
	Fee (\$)	Small Entity Fee (\$)	Fee (\$)	Small Entity Fee (\$)	Fee (\$)	Small Entity Fee (\$)	
Utility	300	150	500	250	200	100	
Design	200	100	100	50	130	65	
Plant	200	100	300	150	160	80	
Reissue	300	150	500	250	600	300	
Provisional	200	100	0	0	0	0	

**2. EXCESS CLAIM FEES**

Fee Description	Fee (\$)	Small Entity Fee (\$)
Each claim over 20 (including Reissues)	50	25
Each independent claim over 3 (including Reissues)	200	100
Multiple dependent claims	360	180

**Total Claims**    **Extra Claims**    **Fee (\$)**    **Fee Paid (\$)**  
 \_\_\_\_\_ - 20 or HP = \_\_\_\_\_ x \_\_\_\_\_ = \_\_\_\_\_

HP = highest number of total claims paid for, if greater than 20  
**Indep. Claims**    **Extra Claims**    **Fee (\$)**    **Fee Paid (\$)**  
 \_\_\_\_\_ - 3 or MP = \_\_\_\_\_ x \_\_\_\_\_ = \_\_\_\_\_

MP = highest number of independent claims paid for, if greater than 3.

**3. APPLICATION SIZE FEE**

If the specification and drawings exceed 100 sheets of paper (excluding electronically filed sequence or computer listings under 37 CFR 1.52(e)), the application size fee due is \$250 (\$125 for small entity) for each additional 50 sheets or fraction thereof. See 35 U.S.C. 41(a)(1)(G) and 37 CFR 1.16(s).

Total Sheets	Extra Sheets	Number of each additional 50 or fraction thereof	Fee (\$)	Fee Paid (\$)
_____	_____	_____	_____	_____

\_\_\_\_\_ - 100 = \_\_\_\_\_ / 50 = \_\_\_\_\_ (round up to a whole number) x \_\_\_\_\_ = \_\_\_\_\_

**4. OTHER FEE(S)**

Description	Fee (\$)	Fees Paid (\$)
Non-English Specification, \$130 fee (no small entity discount)		
Other (e.g., late filing surcharge): One month extension of time to respond to Office action		60.00

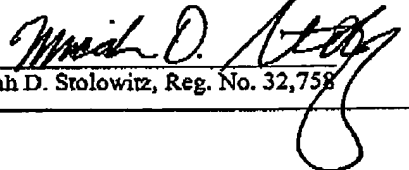
<b>SUBMITTED BY</b>		
Signature	<i>Micah D. Stolowitz</i>	Registration No. 32,758
Name (Print/Type)	Micah D. Stolowitz	Telephone (503) 294-9189
		Date February 21, 2006

This collection of information is required by 37 CFR 1.136. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 30 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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CERTIFICATE OF FILING BY FACSIMILE TRANSMISSION

I hereby certify that this correspondence is being facsimile transmitted to the United States Patent and Trademark Office, Fax No. (571) 273-8300 on February 21, 2006.

  
Micah D. Stolowitz, Reg. No. 32,758

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of

Dan A. PRESTON

Confirmation No. 1343

Application No. 10/092,661

Filed: March 6, 2002

For: **A CELLULAR TELEPHONE HAVING  
IMPROVED IN-BAND SIGNALING  
FOR DATA COMMUNICATIONS  
OVER DIGITAL WIRELESS  
TELECOMMUNICATIONS  
NETWORKS**

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Group Art Unit: 2666

Examiner: Inder P. Mehra

Date: February 21, 2006

Attorney Docket: 44375/4:10

RESPONSE TO OFFICE ACTION

TO THE COMMISSIONER FOR PATENTS:

Applicant hereby responds to the Office Action mailed November 01, 2005 as follows:

A Listing of All Claims is provided beginning on page 2 of this paper. (No claims are amended in this response. Rather, the appended listing reflects the Preliminary Amendment filed with the present application on March 6, 2002.)

Remarks begin on page 4 of this paper.

Applicant requests a one-month extension of time for submission of this response.

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